



TENTH JUDICIAL DISTRICT
WAKE COUNTY
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May 22, 2020

To: Members of the Tenth Judicial District Bar

From: Judge Paul Ridgeway, Senior Resident Superior Court Judge
Judge Robert B. Rader, Chief District Court Judge
Chris Graves, Chief Magistrate
Lorrin Freeman, District Attorney
Blair Williams, Clerk of Court
Chuck Caldwell, Public Defender
Kellie Myers, Trial Court Administrator

Re: **Expansion of Civil District Court Operations**

As you are aware, over the past two months the courts have operated on a reduced schedule in Wake County in response to the COVID-19 pandemic and in compliance with directives from the Chief Justice. During this period, we have also worked diligently to develop plans for expanding court operations once it has been determined that we can do so in a safe manner implementing social distancing and other health precaution best practices. Any decision to expand courtroom operations has been based on input from state and local health officials, Wake County government, the Administrative Office of the Courts and the Chief Justice's recently formed COVID-19 Task Force.

After careful consideration, we will expand our current Civil District Court operations **effective June 1, 2020**, in accordance with the plan set forth below. While more courtrooms will be open, operations will remain below our normal pre-pandemic levels. Most noticeably, the Family Court staff, the Trial Court Administrator's staff and the Clerk of Court's staff have worked to reduce the dockets as much as possible to manageable levels. The Lead Judges in each respective area have developed detailed plans and protocols intended to reduce the number of individuals in a courtroom at any given time. Remote hearings will be utilized where feasible. Court officials and deputies will be striving to enforce social distancing and limiting the number of individuals in a courtroom. Courtrooms will be marked with signage and markings to encourage social distancing. Protective masks will be strongly encouraged.

Please be assured that the health and welfare of each Judicial Branch employee, attorney, law enforcement officer and member of the public that enters the Courthouse and Justice Center have been paramount in the decisions on how to expand operations. We are asking for your assistance in ensuring that social distancing and other precautionary measures are followed. Your cooperation, flexibility, and willingness to adapt to these unprecedented times for our courts is greatly appreciated.

CIVIL DISTRICT COURT

The following information is contingent upon directives of the Chief Justice and Governor and is subject to change at the discretion of the Chief District Court Judge to protect the health of court personnel and of the public. Pursuant to the May 21, 2020 Order of the Chief Justice, the Senior Resident Superior Court Judge and the COVID-19 Coordinator must ensure that all sessions of court meet the safety requirements set out in Emergency Directives 12 and 13 before calendars are distributed or the session of court begins.

GENERAL CIVIL COURT*

Courtroom 5B

(*excludes Family Court, Child Support, and Domestic Violence cases)

Mandatory District Court Arbitration

- Mandatory district court arbitration hearings will resume on **June 1, 2020**.
- Arbitration hearings will be conducted in **Courtroom 10A** of the Wake County Courthouse (316 Fayetteville Street, Raleigh, NC). If you are appearing for an arbitration hearing, please report to Courtroom 10B of the Wake County Courthouse to check-in and wait for your arbitration hearing to begin. Do not go to the Trial Court Administrator's Office.
- The Arbitration Coordinator, Carol McLeod, will limit the number of cases scheduled for hearing on a given day so that the litigants and witnesses in the courtroom can adhere to recommended social distancing protocols.

Jury Trials

- There will be no jury trials during the months of June or July 2020 in Courtroom 5B of the Wake County Courthouse (316 Fayetteville Street, Raleigh, NC). All jury trials previously scheduled in Courtroom 5B during these months have been or will be continued by the Trial Court Coordinator for District Court, Amy Turner (the "TCC"), considering peremptorily set cases, number of previous continuances, and age of cases.
- If all parties consent to waive a trial by jury, please notify the District Court TCC (amy.l.turner@nccourts.org) so that she may set your matter for a bench trial to avoid further delays caused by the impact of COVID-19 on the court system.

Bench Trials

- **Beginning June 1, 2020**, bench trials will resume in Courtroom 5B. The TCC has published trial calendars for the weeks of June 1, 2020, June 8, 2020 and June 22, 2020, which are available online at <http://www1.aoc.state.nc.us/www/calendars/Civil.jsp?county=WAKE>
- The number of cases scheduled per day will be limited so that all litigants can be present in Courtroom 5B for calendar call while adhering to recommended social distancing protocols.

After calendar call, the Presiding Judge will set a schedule as to when each case is anticipated to start so that only those needed for the instant trial will remain in the courtroom.

Motions - In Person

- In conformance with the Order of the Chief Justice, litigants are encouraged to make use of remote hearing technology to the greatest extent possible to limit in-person appearances.
- **Beginning June 4, 2020**, in-person hearings on motions for which remote hearings have not been requested will resume in Courtroom 5B on each Thursday that Courtroom 5B is scheduled to be open. In order to reduce the number of people coming to Courtroom 5B at a given time, the TCC will now schedule motions to be heard at either 9:00 am or 2:00 pm. The TCC has the discretion to limit the number of cases scheduled for hearing during each session to allow for proper social distancing in the Courtroom.
- Although Courtroom 5B was originally scheduled to be closed during the week of Judge's Conference (**June 15-18, 2020**), 5B is now open for motions hearings during that week. On Monday, June 15, 2020, there will be only a morning session. On Tuesday through Thursday, June 16-18, 2020, there will be both morning and afternoon calendars.
- Nothing in this protocol limits the option of requesting an "in-person" hearing with telephonic or video appearances that has been approved by the Presiding Judge.

Motions Hearing – Remote

- Calendars for remote hearings will be prepared to accommodate requests submitted. The first remote motion hearing calendar will be conducted on Friday, July 10, 2020 at 2:00 pm.
- Calendar requests seeking a remote motion hearing must be submitted directly to the District Court TCC via email (Amy.L.Turner@nccourts.org). The party who filed the motion must indicate on the calendar request that a remote hearing is requested. If a calendar request seeking a remote hearing is submitted to Ms. Turner by any method other than email, it will not be accepted. For cases needing an interpreter, please see the footnote below.¹
- The party filing the motion for a hearing for a remote hearing should provide, in the request to the TCC, the email address of all parties (or their attorneys, if represented).
- The calendar request deadlines for Wake County Civil District Court for July through December 2020 have not been published at this time. Once published to the NC Courts website, those deadlines will apply to calendar requests for remote hearings as well.

¹ If any party or testifying witness needs an interpreter for a remote motion hearing, this information (including the language needed) must be included in the calendar request. Pursuant to the Local Rules for Civil District Court, hearings or trials requiring the service of an interpreter will require a special setting. Please contact the TCC, Amy Turner, to coordinate a date for such a hearing prior to submitting a calendar request.

- For all remote hearings, all parties and attorneys participating in the hearing must appear remotely at the hearing. No party or attorney participating in the hearing can appear in the Courtroom for a remote hearing.
- Pursuant to the Chief Justice's May 1, 2020 Order, consent of all parties is not required for a hearing to be conducted remotely via WebEx. The the notice of hearing prepared by the party who filed the motion must inform the other party(ies) of the following:
 - That the party has the right to object, for good cause, to the hearing being conducted remotely;
 - That an email address is needed for each party in order to participate in the WebEx hearing;
 - If the email address of each party could not be included in the request for a remote hearing submitted by the moving party to the TCC, that each party must email to the TCC, Amy.L.Turner@nccourts.org, their email address at least two business days prior to the WebEx hearing; and
 - That if a party does not have an email address, they must call the party that filed the motion at least three days prior to the WebEx hearing to let them know that they do not have an email address.
- If the TCC has not received email addresses for all parties in the case, she will remove the case from the remote motion calendar. The TCC will email all parties for whom she received an email address to let them know that the case was removed. The person who filed the motion may then submit a calendar request seeking an in-person motion hearing.
- Parties who object to the hearing being conducted via WebEx must submit their written objection directly to the TCC, Amy Turner via email (Amy.L.Turner@nccourts.org), at least two business day prior to the hearing. If the written objection is submitted to Ms. Turner any way other than email, it will not be considered by the Presiding Judge, and the hearing will proceed remotely as requested.
- The Presiding Judge, in his or her discretion, may reject a request for a remote hearing and require parties to appear in person.
- The TCC, Amy Turner, will schedule the remote hearing and issue WebEx invitations to the participants. The Presiding Judge, as the Clerk's designee, will serve as the WebEx co-host. The TCC, Amy Turner, has the discretion to revise or supplement the WebEx invitation process (e.g., to make use of personal meeting rooms in lieu of Web Ex invitations).
- Remote hearings will be audio-recorded by the courtroom clerk or the Judge (as the clerk's designee).
- Any document (*i.e.*, affidavits, evidence, briefs/memorandums, case law) that a party requests be considered by the Presiding Judge during the hearing, along with a proposed order or judgment, must be emailed to the TCC, Amy Turner (Amy.L.Turner@nccourts.org), at least two business days prior to the hearing.
- Any non-party who wants to observe a remote hearing must submit a request to the TCC, Amy Turner (Amy.L.Turner@nccourts.org), at least one business day prior to the hearing. Observers will receive a WebEx link to join the hearing by telephone. Observers shall mute

audio during the hearing and will be disconnected from the hearing if they cause disruptions to the court proceeding. Late requests to observe the WebEx hearing may not be honored.

- Business casual or business attire is appropriate dress for parties and counsel appearing at a remote hearing.
- All participants in the remote hearing must be able to be seen and heard by the Presiding Judge.
- During the hearing, parties that are not speaking should have their microphones muted unless and until they are being addressed by the Presiding Judge.

DOMESTIC COURT **Courtrooms 2A, 2B, 2C & 2D**

- Except as provided herein, the normal pre-COVID19 Family Court calendaring system will remain in place. For the next several months, there will be a cap on the number of cases per day that will be permitted. The online calendar can be viewed at www.wcfcc.com.
- Beginning June 1, 2020, pursuant to the following protocols, in person trials and hearings will resume at the Wake County Courthouse in courtrooms 2B, 2C, 2D, and 2A. Judges may direct and parties may request remote WebEx hearings for certain cases as provided herein.

Calendar Calls:

- **All calendar calls will be held remotely via WebEx until further notice at the following locations:**

Wake County Courtroom 2B Personal Room: Meeting ID# 792 744 428

Wake County Courtroom 2C Personal Room: Meeting ID# 790 188 010

Wake County Courtroom 2D Personal Room: Meeting ID# 792 398 906

- **The personal meeting rooms can be accessed by going to www.WebEx.com and selecting the “JOIN” tab. In the box provided, type in the meeting ID number listed above for your scheduled courtroom. Make sure your video and audio are working properly before selecting “Join the meeting.” Mute your microphone until your case is called for hearing.**
- Attorneys and Self-Represented Litigants should NOT come to the courthouse for calendar call unless they are unable to use WebEx. Family members, witnesses, and members of the public will not be permitted to enter the courtroom during calendar call. Self-Represented Litigants who come to the courthouse for calendar call should ask their family, friends, or witnesses to wait outside the courthouse building until the time of trial.

Hearings in Domestic Court

- The presiding Judge has discretion to hear the case in open court or make a determination that a remote hearing is more appropriate. Pursuant to Chief Justice Beasley's [Emergency Directive No. 3](#), the parties have the right to object to a remote hearing for good cause.
- At calendar call, the court will set a schedule of cases for the day, giving all parties a time to appear in person or remotely. Attorneys, witnesses, and parties will only be able to enter the courtroom at the designated time for the hearing.
- Beginning in July, the in-court mediation program will be available for parties who are both in attendance for a hearing.

Remote Hearings in Domestic Court

- A judge may decide to hold a remote hearing instead of an in-person hearing. A party may also request a remote hearing if an attorney or party is unable to attend court due to the pandemic.
- The assigned judge, in his or her discretion, may designate some cases to be heard remotely without the parties' consent. These matters may be heard by the assigned judge or an overflow judge. If the judge designates a case to be heard remotely, the parties will be required to email or otherwise deliver exhibits to the FCCC before the start of the hearing.
- The Court will decide during calendar call, after consulting with parties and hearing objections, whether the parties will appear remotely or in person for the hearing.
- If a party wishes to have a remote hearing, he or she must indicate this on the notice of hearing and the Calendar Request (WAKE DOM 4A Temporary). All opposing parties must be advised of the right to object for good cause in the notice of hearing. Email addresses of the parties and attorneys should be provided in the Calendar Request. Parties who wish to set a remote hearing will be required to email exhibits at least two business days before the proposed hearing date to the FCCC and all opposing parties.
- If there is an objection to a remote hearing, it may be made in advance of the hearing in writing, or at calendar call on the date of the proposed hearing. Written objections may be made by emailing the FCCC and the opposing party at least two business days in advance of the hearing. The email should include the basis for the objection, the names of the parties, the file number, and the date of the hearing. In his or her discretion, the judge may make a determination about good cause prior to or on the date of the hearing. This decision may be based on written submissions alone, or arguments made during calendar call.
- No "permanent" claims (permanent custody or permanent modifications, permanent child support, alimony, equitable distribution, show cause motions, or domestic violence return hearings with an assigned judge) will be heard remotely. Temporary matters (temporary child support, temporary custody or temporary modifications, post-separation support, and interim distribution) and motions *not requiring testimony* (pre-trial, post-trial, and dispositive motions) may be heard remotely.
- Remote hearings will be limited to the time requested in the Calendar Request, up to a maximum of two hours. The number of exhibits in a remote hearing will be limited to five exhibits per side and five pages per exhibit.

- All remote hearings will be held at the following WebEx locations:

Wake County Courtroom 2B Personal Room: Meeting ID# 792 744 428

Wake County Courtroom 2C Personal Room: Meeting ID# 790 188 010

Wake County Courtroom 2D Personal Room: Meeting ID# 792 398 906

- Remote hearings sent to the overflow courtroom will be held at this WebEx location:

Wake County Courtroom 2A Personal Room: Meeting ID# 793 202 682

- The personal meeting rooms can be accessed by going to www.WebEx.com and selecting the “JOIN” tab. In the box provided, type in the meeting ID number listed above for your scheduled courtroom. Make sure your video and audio are working properly before selecting “Join the meeting.” Mute your microphone until your case is called for hearing.
- Business casual or business attire is appropriate dress for parties and counsel.
- All participants in a remote hearing must be able to be seen and heard by all other participants. During the hearing, parties that are not testifying should have their microphones muted unless they are speaking. Witnesses should be in a room alone during testimony, without access to any documents or papers, other than copies of exhibits already provided to the Court and opposing parties.
- If they are in separate locations, attorneys and parties may communicate privately via text or email during the hearing, **provided however, parties may not communicate with counsel while they are testifying. No one may communicate with witnesses privately during the hearing without court permission.**
- If an interpreter is needed for a remote hearing, a request will be made to AOC and the interpreter. We cannot guarantee that interpreters will be available for all remote hearings and adjustments may need to be made if you request an interpreter.

Custody Mediation

- All custody mediation and orientation sessions will continue to be conducted solely via Zoom.
- The mediation office is open during regular office hours, but typically only one mediator is present each day. All other mediators are teleworking from home.
- Before a case can be scheduled for mediation, the Custody Mediation Office needs to receive the Custody Mediation Cover Sheet which should include the parties’ email addresses. If the mediation involves a show cause motion or a motion to modify, the Custody Mediation Office will also need copies of these documents. If you do not include email addresses for both parties, the information about the mediation orientation and the Order to Attend will have to be mailed which will result in delays in your case.
- Pursuant to Chief Beasley’s Directive No. 5, the parties are permitted to sign the Parenting Agreement under penalty of perjury and mail it to the mediation office.
- If you have questions, please email them directly to the Custody Mediation Office at D10.custodymediation@nccourts.org.

DIVORCES

Courtroom 5B

- The normal pre-COVID19 divorce calendaring system will remain in place except as provided herein. For the next several months, there will be a cap on the number of divorces that will be permitted each day.
- Beginning June 1, 2020, pursuant to the directives of the Chief Justice, in person divorce trials will resume at the Wake County Courthouse in Courtroom 5B. **Summary Judgment Remote divorces will be held in the following location:**

Wake County Divorce Personal Room: Meeting ID #798 770 579

- The personal meeting room can be accessed by going to www.WebEx.com and selecting the “JOIN” tab. Type in the Meeting ID number listed above in the “join” box. Make sure your video and audio are working properly before selecting “Join the meeting.” Mute your microphone until your case is called for hearing.

Summary Judgment Divorces

- Except for special settings on June 19, 2020 and June 26, 2020, all summary judgment divorces will be held **remotely** on Fridays at 9:00 a.m. pending further notice. The calendaring procedure will be the same as it was before COVID19, except as provided herein.
- If you already have a case scheduled on one of the special settings on June 19, 2020 or June 26, 2020, those motions will be scheduled in person and heard under the pre-COVID system. If you prefer a remote summary judgment hearing on June 19 or June 26, you simply need to send the new notice of hearing (Wake DOM 23A Temporary) that informs the non-moving party of his or her right to object as provided below. No divorce trials will be heard remotely.
- Any other cases set after June 1, 2020 will be heard remotely via WebEx unless there is objection made and good cause found by the presiding judge. The non-moving party must be advised of his or her right to object in a timely manner as provided herein, or the motion for summary judgment will not be heard on the scheduled date. If you have already set a matter after June 1, you will need to resend the new notice of hearing form or file some other proof of notice.
- Attorneys or parties who are scheduling a hearing for summary judgment, must advise the opposing party that remote hearings may be objected to for good cause. This can be done in a notice of hearing, or a separate notice. Service of Wake DOM 23A Temporary is sufficient.
- All parties who wish to appear for the summary judgment motion must do so remotely unless there is an objection made and good cause found by the presiding judge. If a non-moving party objects to a remote hearing, that party may submit his or her objections in writing by filing them with the clerk of court or emailing them to Tasha.S.ONeal@nccourts.org and to the opposing party at least 48 hours before the scheduled hearing. The written notice must include the name of the parties, the date of the

hearing, the file number, and the basis for the objection. Parties may also object in person at the courthouse on the date of the hearing by going to the Wake County Courthouse, courtroom 5B at 9:00 a.m. The objection will be considered on or before the date of the hearing. If the court finds good cause for the objection, the case may be continued for an in person hearing or held open for an in person hearing later in the morning. If no good cause is found, the case will proceed remotely and parties should be prepared to proceed accordingly.

- At least 72 hours before the hearing, the moving party shall be responsible for emailing the Judgment for Absolute Divorce, Servicemembers Civil Relief Act (SCRA) Affidavit, and the [Certificate of Absolute Divorce](#) to Tasha O'Neal at Tasha.S.ONeal@nccourts.org and to the opposing party. If the necessary documents are not received or served in advance, the motion will not be heard. If documents are incorrect or incomplete, the motion for summary judgment will not be granted.
- Remote summary judgment divorce sessions will be recorded through WebEx. Copies of the recordings may be requested through the Clerk's office.
- At the conclusion of the remote hearing, the divorce judgment will be time-stamped, scanned and emailed by the Clerk's office to the moving party for service. The moving party is responsible for serving the opposing party. If certified copies of the divorce judgment are required, certified copies may be requested through the Clerk's office.
- Business casual or business attire is appropriate dress for parties and counsel. All participants must be able to be seen and heard by the judge. During the hearing, parties that are not speaking should have their microphones muted unless and until they are addressed by the judge.
- If an interpreter is needed, please indicate this to the clerk when the court date is requested. A request will be made to the Administrative Office of the Courts. We cannot guarantee that interpreters will be available, and adjustments may need to be made if you request an interpreter.

Absolute Divorce Trials

- The calendar procedure for scheduling absolute divorces trials will be the same as it was pre-COVID19. Except for special afternoon settings on June 19, 2020 and June 26, 2020, all divorce trials will be held in Courtroom 5B at 10:30 a.m. The party seeking a divorce may file a calendar request with the clerk and request a court date.
- After a case is calendared, the moving party (party asking for the divorce) should appear in the courtroom on the date and time of the hearing and bring all required forms to the courtroom. The opposing party may attend the hearing in person in courtroom 5B, or if they are not opposed to the divorce and simply want to observe the proceedings, they may appear remotely via WebEx at:

Wake County Divorce Personal Room: Meeting ID #798 770 579

- The personal meeting room can be accessed by going to www.WebEx.com and selecting the "JOIN" tab. Type in the Meeting ID number listed above in the "join" box. Make sure your video and audio are working properly before selecting "Join the meeting." Mute your microphone until your case is called for hearing.

- If a party wishes to attend the hearing but is unable due to COVID19 or other reasons, that party may file a motion to continue with the clerk of court by mailing it to the clerk and the opposing party or by emailing the motion to the opposing party and Tasha.S.Oneal@nccourts.org.
- If an interpreter is needed, please indicate this to the clerk when the court date is requested. A request will be made to the Administrative Office of the Courts. We cannot guarantee that interpreters will be available, and adjustments may need to be made if you request an interpreter.

DOMESTIC VIOLENCE COURT

Courtroom 5A

Filing Motions and Complaints

- Parties may file Complaints and Motions related to Chapter 50B and 50C in Room 527 of the Wake County Courthouse from 9:00 am to 5:00 pm, Monday – Friday, on days that the Courts are open for business. Any filing that requests *Ex Parte* relief shall be filed by 4:00 pm to ensure adequate time to be heard the same day.
- Plaintiffs may normally file a Complaint at InterAct through the automated e-filing system; however, at this time InterAct has temporarily suspended their automated e-filing program but anticipates resuming this service in July. Currently there are no other approved remote filing options available. Plaintiffs may request assistance from InterAct in facilitating a hearing for *Ex Parte* relief via Web Ex.
- Plaintiffs requesting *Ex Parte* relief will have a hearing with a Judge the same day of filing.

Calendars

- Return hearings will be scheduled as normal pursuant to statute. If the calendar within 10 days of filing has too many cases docketed to allow for social distancing, then the Court may determine that good cause exists to set the case for hearing in 11-15 days. Calendaring decisions are intended to comply with the directives of the Chief Justice to minimize the number of persons in the courtroom.
- The Court and the Clerk's office will review multiple weeks of calendars when scheduling new hearings in order to maintain a generally similar number of hearings daily.
- If the number of cases filed continue to increase, the Court will begin staggered hearing times to reduce the number of persons entering the Courthouse at the same time. If staggered hearing times are implemented, hearings may be noticed for 9:00 am or 11:00 am.
- There will be limited opportunities for a return hearing to be heard remotely. The Court's ability to accommodate a remote hearing will be dependent on the ability of the Clerk's Office or the District Court Judges' Office to communicate with both parties and the availability of a judge to conduct the remote hearing.
- All parties must agree that a remote return hearing may be scheduled beyond the statutory requirements, if necessary, to accommodate the remote hearing.

Continuances

- Motions to Continue may be made by emailing the Wake County Clerk's office at WakeCivilClerk@nccourts.org prior to the hearing date.
- If a party is COVID-19 positive, has been exposed or believes that they may have been exposed to the virus, or have other legitimate reasons to not enter the courtroom, they should notify the Clerk's office and request a continuance via email or phone call prior to the court date. The Clerk will attempt to contact the opposing party to determine if they object to the motion to continue. The Court will determine if the case will be continued prior to the court date.
- Plaintiffs are encouraged to contact the Clerk's office or the Wake County Sheriff's Office prior to their court date to confirm that the Defendant has been served. If there is no proof of service on the day before the hearing, the Court may continue the case and provide the new hearing date to Plaintiff and include the Continuance Order in the service packet.

Courtroom Protocol

- As Courtroom 5A has limited seating, social distancing will be enforced in the Courtroom by Deputies, Clerks and Judges.
- Witnesses and persons who are present for emotional support may be asked to wait in the lobby or other designated location.
- Courtroom 5A will have a designated area in close proximity available for overflow to be utilized by the presiding Judge to ensure social distancing.
- All parties and attorneys shall avoid approaching the Clerk, unless specifically instructed to do so by the Judge or Clerk. If any person needs to provide documents or other paperwork to the Clerk or Judge, it should be handed to the Deputy in the Courtroom.
- All witnesses will be affirmed.

CHILD SUPPORT COURT **Courtroom 5D**

- Courtroom 5D will resume regular operations on **June 22, 2020**.
- Prior to June 22, 2020, child support enforcement cases with the defendant in custody will be heard in Courtroom 5B and should be coordinated in advance with the presiding Judge.
- Prior to June 22, 2020, any continuances, dismissals, consent orders or other matters needing review or signatures of a District Court Judge shall be taken to the Judge presiding in Courtroom 5B.

JUVENILE ABUSE NEGLECT & DEPENDENCY COURT
Courtroom 4C

General Provisions:

- The **Juvenile Case Coordinator** is Sharon Konopka (Sharon.M.Konopka@nccourts.org) ([919.792.4884](tel:919.792.4884)).
- Any hearing that is required to be recorded as required by the Rules of Record Keeping shall be recorded by the Juvenile Clerk or her designee. Attorneys, parties, or other persons are not permitted to record any proceeding.
- All physical distancing and other health precautions adopted by the Chief District Court Judge and recommended/required by Chief Justice Beasley will be followed.
- Protective facial coverings and/or protective gloves for all occupants are permissible and highly encouraged.
- To reduce the number of people in the courtroom, only attorneys and parties may be present at calendar call. Children, relatives, and friends should not accompany the Respondent to the 4th floor of the Courthouse. Respondent may maintain contact with these individuals and they may enter the courtroom with the permission of the judge and/or when called as a witness.
- All Wake County Human Services personnel, Guardian ad Litem volunteers, and Respondent parents should contact their attorney at least 3 days prior to a scheduled hearing for specific instructions about a calendared case.

Cases in which Wake County Human Services is a party:

Child Planning Conferences. All child planning conferences shall be conducted via WebEx until further notice. All participants from WCHS, the Guardian ad Litem program, community representatives, and provisional counsel will receive a WebEx invitation issued by the **Juvenile Case Coordinator**. WebEx information shall be distributed to Respondents by provisional counsel and/or the Social Worker.

Calendar Call. Effective for the calendar week of June 1, 2020, the presiding judge will call the calendar for the upcoming week at on the **Thursday** immediately preceding the calendar week **at 1:00 pm**.

- The purpose of this calendar call will be to discuss the logistics of setting each case for hearing during the following week, the possibility of resolving the case without a hearing, the entry of consent orders, requests for WebEx hearings, requests for a party and/or witness to appear remotely, and time requested for the hearing. When possible, the presiding judge shall set cases for hearing at a date and time specific.
- Calendar call will be held at the beginning of each session for cases which are not set for a date and time specific.
- Attorneys will receive a WebEx invitation via email for the calendar call no later two days prior to the weekly calendar call. Contact the **Juvenile Case Coordinator** if it is not timely received.

- All attorneys that have cases scheduled for the following week are expected to attend the calendar call. Any attorney who is unable to attend that calendar call shall designate an attorney to appear and give the judge any needed information.
- Any attorney who is not on the weekly calendar distribution list that has been privately retained to represent a Respondent shall contact the **Juvenile Case Coordinator** as soon as practicable after being retained in order to receive information necessary to join the calendar call.
- Any self-represented party who desires to be present for the calendar call shall contact the **Juvenile Case Coordinator** with necessary contact information including a personal email address. An individual WebEx meeting shall be scheduled for all parties to that case.

Pre-trial Adjudication Conferences and Pre-trial Termination of Parental Rights Conferences (WCHS/GAL filed). At the weekly calendar call the judge will determine whether the pre-trial hearing can be conducted remotely or whether all participants shall appear in person. If it is to be heard via WebEx, an invitation shall be sent to all participants via email.

Responsible Individual List (R.I.L.) Cases. All R.I.L. cases scheduled on March 27, 2020 have been rescheduled and Notice of Hearing mailed. Any Petitioner that has not received a Notice of Hearing shall contact the **Juvenile Case Coordinator** for the new date. All initial setting R.I.L. cases that were scheduled but required to be reset will be calendared during the week of June 1, 2020 and a Notice of Hearing will be mailed. Any Petitioner that has not received a Notice of Hearing shall contact the **Juvenile Case Coordinator** for the new date.

Private Termination of Parental Rights cases:

- Attorneys for Petitioners and Respondents who had a **TPR scheduled for trial or a pre-trial TPR** from March 16, 2020 through May 29, 2020 will be contacted by the **Juvenile Case Coordinator** no later than June 27, 2020 to reschedule the case. If the TPR was scheduled for hearing, the judge may conduct a rescheduling conference to schedule the hearing date and time. This conference will be held remotely if possible. If a pretrial conference was scheduled, the case will be rescheduled for a pretrial conference. This hearing will be held remotely if possible.
- All attorneys who are **NOT** on the A/N/D parent appointment list that have private TPR cases pending shall email the **Juvenile Case Coordinator** and all other attorneys and self-represented parties to indicate whether or not the attorney is willing to be served by email if the May 1, 2020 Order of Chief Justice Beasley Emergency Directive 6 allowing service by email is extended.
- If Petitioner's attorney knows the email address of a self-represented Respondent that information shall be emailed to the **Juvenile Case Coordinator**.
- Serving a Notice of Hearing on all other parties after the case is rescheduled shall be the responsibility of Petitioner's attorney.

Pre-trial Termination of Parental Rights Conferences (private). All private TPR pre-trial conferences shall be conducted remotely if possible. If a Respondent appears in court for the pre-trial conference, the judge will have the discretion to decide if the hearing should continue remotely or be continued.

Termination of Parental Rights Hearings (private). Contested trials for TPR hearings will be conducted in-person. Uncontested TPR hearings may be conducted via WebEx if requested, but all parties and witnesses must appear remotely.

Remote Hearings/Testimony for all 4C cases:

Request for Remote Hearing. Any attorney or self-represented party may request a remote hearing via WebEx. No written request or motion shall be required, however the attorney or self-represented party requesting a remote hearing via WebEx shall make a good faith effort to communicate with all of the other attorneys or self-represented parties prior to the Thursday calendar call. The discussion should include, but not be limited to, the advisability and logistics of a remote hearing as well as whether a party is objecting to a remote hearing, for good cause. WebEx hearings may also be verbally requested during weekly calendar call, but the Court may not be able to rule on the request during that calendar call.

Recorded Hearings. All remote hearings which require recording shall be conducted via WebEx with all attorneys, parties, and witnesses appearing remotely. All participants must be able to be seen and heard by all other participants, with the exception of a Respondent parent. If a Respondent parent does not have a device available which has video capability, the Respondent parent shall have the option of telephoning into the WebEx hearing. No participant will be permitted to appear in court or call the Juvenile Clerk's courtroom telephone to participate in the hearing.

Remote Testimony for Recorded Hearings. Hearings in courtroom 4C have included telephonic testimony in the past and nothing in these provisions will preclude such testimony. In addition to telephonic testimony and in cases in which a full WebEx hearing is not practicable, the assigned judge may allow certain witnesses to appear and testify via WebEx technology and/or other remote technologies after consultation with all attorneys and self-represented parties. If an attorney and/or self-represented party desires to have a witness testify remotely, that request shall be communicated to all other attorneys and/or self-represented parties prior to the pre-trial Adjudication hearing or pre-trial TPR hearing. The ruling of the judge regarding allowing or denying the request shall be contained in the pre-trial order.

Hearings Which Do Not Require Recording. A request may be made for remote testimony and/or a remote hearing for any case that does not require recording. Remote appearance and/or testimony may be allowed telephonically, via WebEx, or any other remote technologies that can be utilized by all parties and the judge. Hearings may be conducted in which both in-person and remote appearance are allowed. WebEx is the only technology that will be used on the judge's AOC laptop. Such requests will be granted freely when justice so requires and in the best interests of the child.

Consent/Objection to Remote Hearing. Pursuant to the May 1, 2020 Order of Chief Justice Beasley, consent of all parties is not required for a hearing to be conducted remotely. Attorneys may object, for good cause, to a remote hearing no later than the Thursday calendar call. The attorney seeking a remote hearing shall notify a self-represented party in writing of the right to object to this request. A judicial ruling shall be made regarding the request at the Thursday calendar call and/or the pre-trial Adjudication hearing or pre-trial TPR hearing.

Miscellaneous.

- No new notice of hearing will be required for a remote hearing once a hearing date and time is set. An invitation to the WebEx hearing will be sufficient. Attorneys will be responsible for delivering information regarding the WebEx hearing to their clients. The **Juvenile Case Coordinator** will email an invitation to the WebEx hearing to any self-represented party if she has the email address.
- Business attire or business casual is appropriate dress for all attorneys appearing for a remote hearing.
- During the hearing, all participants that are not testifying should have their microphones muted, with the exception of the attorney or self-represented party who is examining the witness.
- All participants in the WebEx hearing should be in a room alone during the hearing (unless in the room with their attorney) and be free from other people or distractions.
- Attorneys and parties may communicate privately via text or email during the hearing if they are not in the same location. A party may not communicate with their attorney during their testimony.

JUVENILE DELINQUENCY COURT **Courtroom 4B**

- Courtroom 4B will operate morning and afternoon sessions Monday – Wednesday and morning sessions only on Thursdays.
- Secured Custody Reviews with no other accompanying adjudication, disposition, hearing, etc. shall be heard via remote audio/video transmission unless directed otherwise by the presiding Judge.
- The Assistant District Attorney assigned to the calendar will identify cases for which an appearance is not needed through advance communication with defense attorneys. If the prosecutor and attorney agree that the juvenile's appearance is not necessary, the juvenile and parent(s) will be excused from appearing in court. Examples include successful deferrals, cases scheduled to go to the grand jury, cases in which both parties agree that more time is needed prior to disposition, etc.
- Attorneys should communicate with their clients and the assigned District Attorney prior to the scheduled court date.
- Attorneys should continue to check the weekly calendar for Courtroom 4B distributed electronically by the District Attorney's Office on Friday preceding the week of court.
- Courtroom 4A will be vacant and designated as available for additional seating room to ensure social distancing during all sessions of juvenile delinquency court with the exception of Thursday mornings.

CIVIL COMMITMENT COURT

Remote or Courtroom 4A

- Civil commitment hearings will no longer be held at UNC Wakebrook until further notice.
- All civil commitment hearings will be conducted remotely or in person in Courtroom 4A on Thursday mornings.
- Remote hearings are strongly encouraged and any final decision as to whether a hearing is conducted remotely or in-person shall be in the discretion of the presiding Judge.
- All participants in a remote hearing must be able to be seen and heard by all other participants. During the hearing, parties that are not testifying should have their microphones muted unless they are speaking.
- Respondents must have the ability to communicate confidentially with their attorney (Special Counsel) during the proceedings.
- Attorneys should coordinate remote hearings in advance with the Special Proceedings Civil Commitment Courtroom Clerks Cecilia Conner or Hillary Joyner.

SMALL CLAIMS COURT

Courtrooms 3A, 3C & 3D

- Courtrooms 3A and 3D will resume operating Monday – Friday with morning and afternoon sessions each day.
- Courtroom 3C will operate on a temporary basis Monday – Friday with morning and afternoon sessions each day for most of June and longer if needed.
- Courtrooms 3A, 3D and 3C will hear all matters typically within the jurisdiction of small claims court including actions for summary ejection.

WEDDINGS

Wake County Detention Center

- Pursuant to directives of the Chief Justice, restrictions have been placed on the location, times and attendance for marriage ceremonies to promote social distancing and reduce potential exposure to the COVID-19 virus.
- Weddings will be conducted by Magistrates at the Wake County Detention Center, 3301 Hammond Road, Raleigh, North Carolina, Monday – Fridays between the hours of 11:00 am and 3:00 pm.
- No weddings are currently being conducted at the Wake County Justice Center.
- Weddings are conducted on a first come, first serve basis and no appointment is necessary.
- Individuals wishing to get married must bring a valid marriage license from a North Carolina Register of Deeds Office, two witnesses and the requisite \$50.00 (exact change) marriage fee.
- It is strongly encouraged that wedding parties limit number of guests to 10 or less. Social distancing will be practiced. Additional witnesses, such as children or other family

members, may also be permitted to attend but could have to view the ceremony from a distance.

- All wedding ceremonies will take place OUTDOORS, in front of the building under the flagpoles if the weather is nice or under the awning adjacent to the parking deck if conditions are unfavorable.
- The Wake County Sheriff's Office will stop all wedding parties at the door and explain that the ceremony will be conducted by the Magistrate outdoors in an effort to reduce foot traffic into and out of the facility as we work to maintain a safe environment within the Wake County Detention Center.